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Counsel for Defendant JESUS HERNANDEZ

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS HERNANDEZ,

Defendant.

No. CR 08-00556 SBA (KAW)

2ND REVISED STIPULATION AND
ORDER CONTINUING CHANGE OF
PLEA; EXCLUSION OF TIME

STIPULATION

IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of plea date for Jesus Hernandez, currently scheduled for December 26, 2012, at 10:00 a.m., may be continued to January 10, 2013, at 9:30 a.m. for change of plea before the magistrate. The reason for the request is that defense counsel is out of the country and unavailable on December 26, 2012 and January 10, 2013 is the first date available for all the parties.

IT IS FURTHER STIPULATED THAT the time from December 26, 2012, to January 10, 2013, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) for continuity of counsel because defense counsel will be unavailable on

December 26, 2012, and January 11, 2013 is the first date available for all the parties.

DATED: 12/21/12

/s/

JOYCE LEAVITT

Assistant Federal Public Defender

DATED: 12/21/12

/s/

KEVIN J. LIN

Special Assistant United States Attorney

I hereby attest that I have permission of the parties to enter a conformed signature (/s/) for all signatures within this e-filed document.

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea date for Jesus Hernandez, currently scheduled for December 26, 2012, at 10:00 a. m., may be continued to January 10, 2013, at 9:30 a.m. for change of plea before the magistrate.

IT IS FURTHER ORDERED THAT the time from December 26, 2012, to January 10, 2013, shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) for continuity of counsel because defense counsel is out of the country and unavailable on December 26, 2012 and January 10, 2013 is the first date available for all the parties.

SO ORDERED.

DATED: 12/21/12


HON. SAUNDRA BROWN ARMSTRONG

Senior United States District Judge